

REMARKS/ARGUMENTS

Reconsideration and allowance of this application are respectfully requested. Currently, claims 1-32 are pending in this application. Several of the claims have been amended to place them in a more traditional U.S. format and to change the spelling of certain words (e.g., whilst, serialised and characterised) to a more traditional U.S. format.

Title:

The title was objected to as allegedly not being descriptive. A new title has been provided and thus Applicant respectfully requests that the objection to the title be withdrawn.

Rejection Under 35 U.S.C. §112:

Claim 22 was rejected under 35 U.S.C. §112, second paragraph. By this Amendment, the limitations of claim 22 have a proper antecedent basis. Applicant therefore respectfully requests that the rejection of claim 22 under 35 U.S.C. §112, second paragraph, be withdrawn.

Rejection Under 35 U.S.C. §103:

Claims 1-28 were rejected under 35 U.S.C. §103 as allegedly being unpatentable over Chang (U.S. '580) in view of Whalen et al (U.S. '066, hereinafter "Whalen"). Applicant respectfully traverses this rejection.

In order to establish a prima facie case of obviousness, all of the claimed limitations must be taught or suggested by the prior art. Applicant respectfully submits that the combination of Chang and Whalen fails to teach or suggest all of the claimed

limitations. For example, the combination fails to teach or suggest a mobile server within a distributed computing environment.

Claims 1-28 each require a mobile server. For example, independent claim 1 and its dependents require “sending the server from a first place...towards a second different place.” Similar comments apply to independent claim 8 and its dependents. As yet another example, independent claim 13 and its dependents require a software entity operable to provide a server which is selectively re-locatable to different places through a distributed computing environment.

Neither Chang nor Whalen discloses a mobile server within a distributed computing environment. Accordingly, even if Chang and Whalen were combined as proposed by the Office Action, the combination would not have taught or suggested all of the claimed limitations. Chang discloses at col. 5, lines 27-28 “the proxy object translates the request and sends the request to server 355 (emphasis added).” However, this portion of Chang does not disclose the movement of a server. None of the other cited passages of Chang even suggest that a server could or should move within a distributed computing environment.

Moreover, Applicant submits that invoking server objects on different ORBs has nothing to do with moveable servers within a distributed computing environment. As stated by Chang in col. 1, lines 55-58, a “server object is defined as being the recipient of an object invocation”, while “a client object is defined as being the originator of an object invocation.”

Like Chang, Whalen also does not teach or suggest a mobile server within a distributed computing environment. While Whalen refers to mobile clients, this is a reference to the client of a mobile terminal such as a PDA or a mobile phone. Whalen does not teach that the client should move within a distributed computing environment (i.e., to be hosted on different computers or platforms within the environment), let alone a mobile server re-located within a distributed computing environment.

With respect to claims 2, 22 and 28, Applicant submits that neither Chang nor Whalen teaches or suggests freezing incoming calls for the server at a first place while the server is being sent from the first place to a second different place. Col. 5, lines 7-58 makes no reference to the freezing of calls. This is not surprising since the server objects are not moving in Chang. Col. 5, lines 42-62 of Whalen also does not disclose this claimed feature. This portion of Whalen merely refers to a mobile client modifying its local cache to permit it to better respond to queries from the associated (local) browser. The mobile client and the browser are both held in the same place as the mobile device. There is no teaching or suggestion of freezing calls to the server.

Accordingly, Applicant submits that claims 1-28 are not "obvious" in view of Chang and Whalen and therefore respectfully requests that the rejection of these claims under 35 U.S.C. §103 be withdrawn.

LEBRE et al.
Application No. 09/647,736
August 2, 2004

New Claims:

New claims 29-32 have been added to provide additional protection for the invention. Each of these claims requires a mobile server or a mobile server object within a distributed computing environment. Accordingly, Applicant submits that these new claims are allowable.

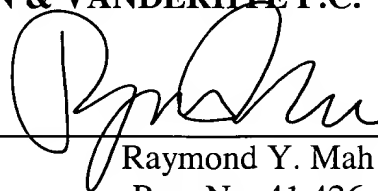
Conclusion:

Applicant believes that this entire application is in condition for allowance and respectfully requests a notice to this effect. If the Examiner has any questions or believes that an interview would further prosecution of this application, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



Raymond Y. Mah
Reg. No. 41,426

RYM:sl
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4044
Facsimile: (703) 816-4100